IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 12411 of 2005

Between:

1 K. Lakshmi Bai, W/o. Lte Kalakbandi Narayanchary,
R/o. H.No. 3-3-798, Kutbiguda, Hyderabad - 500 027.
2 Smt. K. Parimala Gururaj, W/o. Sri Kalakbandi Guru Raj,
R/o. H.No. 3-3-798, Kutbiguda, Hyderabad - 500 027.

..... PETITIONERS

AND

1 The Muncipal Corporation Of Hyderabad, Rep. by its Commissioner,
Muncipal Complex, Tank Bund Road, Hyderabad.
2 The Muncipal Corporation Of Hyderabad, Rep. by its Additional Commissioner-Planning,
Muncipal Complex, Tank Bund Road, Hyderabad.
3 The Assistant City Planner, Circle No.3,
Municipal Corporation of Hyderabad, MCH Parking Complex, Abids,
Hyderabad.
4 Smt. Saleema Khatoon, W/o. Late Sri Mohd. Vikharuddin Ahmed,
R/o. 3-3-800, Kutbiguda, Hyderabad - 500 027.
5 Sri Satyanarayana Raju,
R/o. 3-3-800, Kutbiguda, Hyderabad - 500 027.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or Order or Direction preferably in the nature of Writ of Mandamus declaring the deliberate inaction on the part of Respondents 1 to 3 in not acting as per the provisions of the H.M.C Act even on the representations given to them dated 04-05-2005, 09-05-2005 and 23-05-2005 as arbitrary, unjust and illegal and further

prayed to direct the Respondents 1 to 3 to demolish such structures which are already constructed in violation of sanctioned plan and pass such further or other orders as this Hon'ble Court deems just, fit and proper in the facts and circumstances of the case and in the interest of justice.

Counsel for the Petitioner: MR.K.JAYA KUMAR

Counsel for the Respondent No.: MR.RAMA RAO GHANTA

The Court at the stage of admission made the following :

ORDER:

Heard both sides.

In this Writ Petition, petitioners are seeking a Writ of Mandamus, declaring the deliberate inaction on the part of the respondents 1 to 3 in not acting as per the provisions of the H.M.C. Act even on the representations given to them dated 4.5.2005, 9.5.2005 and 23.5.2005 as arbitrary, unjust and illegal.

The grievance of the petitioners is that they made representations dated 4.5.2005, 9.5.2005 and 23.5.2005 to the respondents to take action on the 5th respondent (Builder/Developer) for making illegal and unauthorized construction, but so far no action has been taken by the respondents.

Considering the above facts and circumstances, without going into the merits of the case, I deem it appropriate to direct the respondents to dispose of the representations of the petitioners dated 4.5.2005, 9.5.2005 and 23.5.2005, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity to the petitioners, in accordance with law.

Accordingly, the Writ Petition is disposed of. No order as to costs.

E. DHARMA RAO, J

DATED: 14/06/2005

ka

To

1 The Commissioenr, Muncipal Corporation Of Hyderabad.
Muncipal Complex, Tank Bund Road, Hyderabad.
2 The Additional Commissioner-Planning, MCH, Muncipal Complex, Tank Bund Road, Hyderabad.
3 The Assistant City Planner, Circle No.3,
Municipal Corporation of Hyderabad, MCH Parking Complex, Abids,
Hyderabad.
4 Smt. Saleema Khatoon, W/o. Late Sri Mohd. Vikharuddin Ahmed,
R/o. 3-3-800, Kutbiguda, Hyderabad - 500 027.
5 Sri Satyanarayana Raju,
R/o. 3-3-800, Kutbiguda, Hyderabad - 500 027.

6. Two CD copies.

7.) 1 CC to MR.JAYA KUMAR